

**THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In Re:)
Sid Boys, Corp. d/b/a Kellogg's Diner,) Case No. 21-42207-ess
) Chapter 11
) Hon. Elizabeth S. Stong
Debtor.)

**NOTICE OF MORGAN & BLEY LTD.'S MOTION TO
WITHDRAW AS DEBTOR'S COUNSEL**

PLEASE TAKE NOTICE that Morgan & Bley, Ltd. has filed a motion to withdraw as Debtor's Counsel pursuant to Local Rule 2090-1 (the "Motion"). The Proposed Order granting the motion is attached hereto.

PLEASE TAKE FURTHER NOTICE that Morgan & Bley, Ltd. seeks to shorten the notice period required and to hear the Motion on November 10, 2022 at 2:00 p.m. (Eastern Time), before the Honorable Elizabeth S. Stong, in the Bankruptcy Court for the Eastern District of New York, 271-C Cadman Plaza, Brooklyn, NY 11201, Courtroom 3585. There is a previously set hearing for the same date and time in this proceeding. The hearing shall be conducted in person.

PLEASE TAKE FURTHER NOTICE that if Morgan & Bley Ltd.'s request to shorten the notice period is denied, objections to the relief requested in the instant motion, if any, must be in writing and must state with particularity the grounds of the objection. The objection must be filed with the Clerk of the Bankruptcy Court electronically at www.nycb.uscourts.gov, and a copy of the objection shall be served upon 1) the undersigned counsel for the Debtor; 2) counsel to 518 Metropolitan Avenue Corp., Cullen and Dykman LLP, 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, Attn: Thomas R. Slome, Esq. and Amanda A. Tersigni, Esq.; 3) the Office of the United States Trustee for the Eastern District of New York (Brooklyn Office), U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014; and 4) all parties

who have filed a notice of appearance and request for service of documents, so as to be actually received no later than November 18, 2022. The Debtor's motion will be presented for signature to the Court on or about November 25, 2022. If no objection is made, the order may be entered without a hearing.

Dated: November 8, 2022

CERTIFICATE OF SERVICE

I, Alanna G. Morgan, an attorney, caused a copy of this Notice and the above described Motion to be served upon the below addresses by ECF as indicated on November 8, 2022. In the event the request to shorten the notice period is denied, I further caused a copy of this Notice and the above described motion to be served upon the below addresses by regular mail on November 11, 2022.

By: /s Alanna G. Morgan

Morgan & Bley, Ltd.
Keevan D. Morgan
kmorgan@morganandbleylimited.com
Alanna G. Morgan
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900 W. Jackson Blvd., Suite 4E
Chicago, Illinois 60607
312.243.0006

SERVICE LIST

Via ECF on November 8, 2022:

Office of the United States Trustee
Eastern District of New York – Brooklyn Division
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

Thomas Slome, Esq.
Cullen and Dykman LLP
Attorneys for 514 Fioto Property Corp.
And 518 Metropolitan Ave. Corp.
100 Quentin Roosevelt Blvd.
Garden City, NY 11530

Sid Boys Corp.
c/o Rachel L. Kaylie
Law Offices of Rachel L. Kaylie, P.C.
1702 Avenue Z, Suite 205
Brooklyn, NY 11235
Rachel@kaylielaw.com

By Mail if Notice Period is not shortened on November 11, 2022:

Capital One, NA c/o Heather Alexis
900 Camp Street, 3rd Floor
New Orleans, LA 70130

Consolidated Edison Group of New York, Inc.
Bankruptcy Group/EAG
4 Irving Place, 9th Floor
New York, NY 10003

State of New York, Dept. of Labor
Unemployment Insurance Division
Harriman State Office Building Campus
Building 12, Room 256
Albany, NY 12240

Aramark Uniform Services
P.O. Box 28050
New York, NY 10087-8050

National Grid
300 Erie Boulevard West
Syracuse, NY 13202

Rivkin Radler, LLP
c/o Stuart I. Gordon, Esq.
926 RXR Plaza
Uniondale, NY 11556

Esgar Romero et al
Virginia & Ambinder LLP
c/o Michele A. Moreno
40 Bond St., 7th Floor
New York, NY 10004

Est of Chistos Siderakis
c/o Irene Siderakis
15-38 159th Street
Whitestone, NY 11357

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In Re:
Sid Boys, Corp. d/b/a Kellogg's Diner,
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MORGAN & BLEY, LTD.'S MOTION TO WITHDRAW AS DEBTOR'S COUNSEL

Now comes Keevan D. Morgan and Alanna G. Morgan of Morgan & Bley, Ltd. (together, "M&B") and for M&B's Motion To Withdraw As The Debtor's Counsel, brought pursuant to Local Rule 2090-1, hereby states as follows:

1. On or about June 13, 2022, the Debtor first contacted M&B to discuss appearing as additional and/or substitute counsel in its ongoing Chapter 11 Case.
2. On or about June 20, 2022, the Debtor retained M&B as its additional attorneys, pending approval of the Bankruptcy Court, which was later so approved.
3. The Debtor's original attorney, Rachel L. Kaylie of the Law Offices of Rachel L. Kaylie, P.C. ("Kaylie"), continued to represent the Debtor following M&B's retention.
4. On November 7, 2022, the Debtor notified M&B its services were terminated and that Kaylie would continue to represent it. Accordingly, M&B seeks to withdraw as counsel for the Debtor.

5. Local Rule 2090-1 provides in pertinent part:

(d) Withdrawal or Substitution of Attorneys of Record.

An attorney who has (i) filed a bankruptcy case on behalf of a debtor, (ii) been authorized to be retained or (iii) has appeared as the attorney of record for any party in any case or adversary proceeding may not withdraw or be relieved or displaced except by order after notice to the party represented, any adversaries (if applicable), the United States trustee and the trustee. An application for such an order shall include a showing by affidavit of satisfactory reasons for withdrawal or displacement and the posture of the case, including the status of any pending matters.

6. As set forth in the Affidavit of Alanna G. Morgan and exhibits thereto, the reason for M&B's withdrawal is that the Debtor has terminated its services and ceased communication, making continued representation impossible. The posture of the case is that on or about April 11, 2022, the Debtor's largest creditors, 514 Fioto and 518 Metropolitan, sought an order directing the Debtor to immediately surrender the premises at which it operates and to convert the case to a Chapter 7 (the "Landlord Motion"), contending that the time had expired for the Debtor to assume the non-residential real property lease at which the Debtor's business operates. Debtor objected to the motion and filed a cross motion on various grounds. The matter is set for hearing on November 10, 2022 at 2:00 p.m. The deadline to confirm the Debtor's plan of reorganization is December 31, 2022.

7. M&B respectfully request that pursuant to Rule 9006, the Court find good cause to reduce the notice period required for its withdrawal. Good cause exists to reduce the notice period because the Debtor seeks to terminate M&B's service, has stopped communicating with M&B, and continues to be represented by the counsel of its choice, Kaylie. Kaylie has represented the Debtor since the commencement of this proceeding. Therefore, M&B's withdrawal, and Kaylie's continued representation, will not delay the proceedings.

Wherefore, M&B prays that its Motion be granted, and for all such other and further relief in the Debtor's favor as is fair and just.

By: /s/Alanna G. Morgan

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